

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Forest Department- Establishment of A.P.State Compensatory Afforestation Fund Management and Planning Authority (A.P.State CAMPA)- Notification-Orders- Issued.

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G.O.Ms.No. 78

Dated: 11-9-2009.

Read the following:

1. From Govt. of India, Min. of Environment & Forests, New Delhi, Lr. F.No.5-1/98-F.C.(Pt.II) Dated: 25-5-2004.
2. The Gazette of India, New Delhi, Extraordinary, Part-II, dt. 23-4-2004.
3. Hon'ble Supreme Court Order dt. 10-7-2009 in I.A.No.2143 in W.P. ( C ) No.202/95.
4. From DGF & Spl. Secy., From GOI, Mo.eF, New Delhi, D.O.Letter No.5-1/2009-FC dt. 21-7-2009.
5. The guidelines on State Compensatory Afforestation Fund Management and Planning Authority (State CAMPA) dt. 2-7-2009.
6. From Prl.CCF. Lr.No.34670/2009 (CAMPA ) dt. 25-7-2009

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In pursuance of the Hon'ble Supreme Court's orders dated: 30-10-2002 in IA No.566 in Writ Petition (Civil ) No.202 of 1995, the Government of India, Ministry of Environment & Forests, had constituted an authority to be known as Compensatory Afforestation Fund Management and Planning Authority (CAMPA) vide Gazette 2<sup>nd</sup> read above, for the purpose of management of money towards Compensatory Afforestation, Net Present Value and any other money recoverable in pursuance of the Hon'ble supreme court's order in this regard and in compliance of the conditions stipulated by the central Government while according approval under Forest ( C ) Act, 1980 for non-forestry uses of the forest land.

2. As per the orders of Hon'ble Supreme Court of India dated 5-5-06, the Government of India has constituted Ad-Hoc Body of CAMPA under the Chairmanship of DGF & Spl. Secy., GOI, MoEF. As per the Ad-hoc CAMPA guidelines/ instructions, the amounts received from user agencies towards Net Present Value, Compensatory Afforestation, Additional Compensatory Afforestation, Catchment Area Treatment Plan or for compliance of any other conditions stipulated by the Central Government are required to be transferred to Ad-hoc CAMPA fund account of the state (CA-1578) in the Corporation Bank, Lodhi Road, New Delhi. Accordingly, action has been taken and the amounts received from user agencies under various heads are being credited to the Ad-hoc CAMPA account at New Delhi.

3. On 30-3-09 a meeting was held under the Chairmanship of Principal Secretary to Prime Minister at New Delhi for finalising the arrangements for the CAMPA and the creation of a Fund in the States with Chief Secretaries of All States/UTs. Based on the discussions in the meeting, the GOI have drafted the guidelines for establishing CAMPA in the States and putting in place a funding mechanism for enhancing forest and tree cover by utilising funds under Compensatory Afforestation and Net Present Value currently available with the Adhoc CAMPA. The views of the State Govt. on the draft guidelines have also been furnished to Government of India.. Finally the Government of India in their letter fourth read above have communicated the guidelines for establishment of State CAMPA and requested the State Government to take immediate action for establishing CAMPA in the State..

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4. In compliance With the guidelines on State CAMPA issued by Government of India vide reference fifth read above, Government hereby establish the Andhra Pradesh State Compensatory Afforestation Fund Management and Planning Authority (A.P.State CAMPA)

5. Accordingly, the following Notification will be published in the Andhra Pradesh Gazette.

**NOTIFICATION**

6. In pursuance of the guidelines on State Compensatory Afforestation Fund Management and Planning Authority (State CAMPA) dt. 2-7-2009, issued by the Government of India, the State Government hereby establish an authority to be known as A.P.State Compensatory Afforestation Fund Management and Planning Authority (herein after referred to as A.P.State CAMPA ) with immediate effect for the purpose of enhancement of forest and tree cover and conservation and management of wildlife by utilizing funds received towards Compensatory Afforestation, Net present Value (NPV) etc. in compliance of the conditions stipulated by the Central Government while according approval under Forest (Conservation ) Act, 1980 (69 of 1980) for non forestry uses of the forest land.

7. The A.P.State CAMPA shall consist of a Governing Body, a Steering Committee and an Executive Committee.

7.1 **THE GOVERNING BODY:** shall consist of the following:-

(i)	Chief Minister	-	Chairperson
(ii)	Minister of Finance & Planning	-	Member
(iii)	Minister of Forest	-	Member
(iv)	Chief Secretary	-	Member
(v)	Principal Secretary (Finance)	-	Member
(vi)	Principal Secretary (Planning)	-	Member
(vii)	Principal Chief Conservator of Forests	-	Member
(viii)	Chief Wildlife Warden	-	Member
(ix)	Prl. Secretary (Forests)	-	Member Secretary

7.2 **THE STEERING COMMITTEE:** shall consist of the following:

(i)	Chief Secretary	-	Chairperson
(ii)	Principal Secretary (Forests)	-	Member
(iii)	Principal Secretary (Finance)	-	Member
(iv)	Principal Secretary (Planning)	-	Member
(v)	Principal Chief Conservator of Forests	-	Member
(vi)	Chief Wildlife Warden	-	Member
(vii)	Nodal Officer	-	Member
(viii)	A representative of the Ministry of Environment & Forests	-	Member
(ix)	Two eminent NGO's to be nominated by the State Government of a period of 2 years at a time who shall be eligible for re-nomination.	-	Members
(x)	Addl. Prl.CCF. (heading CAMPA)	-	Member Secretary

7.3 **THE EXECUTIVE COMMITTEE:** shall consist of the following:-

i)	Principal Chief Conservator of Forests	-	Chairperson
(ii)	Chief Wildlife Warden	-	Member
(iii)	Addl. Prl.CCF. (heading CAMPA)	-	Member

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(iv)	Financial Controller / Financial Adviser in the O/o the Principal Chief Conservator of Forests	-	Member
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- (v) Two eminent NGO's to be nominated by the State Government for a period of 2 years at a time who Shall be eligible for re-nomination - Members
- (vi) Nodal Officer - Member Secretary

#### **8. Powers and Functions of the Governing Body:**

The Governing Body shall lay down the broad policy framework for the functioning of State level CAMPA and review its working from time to time

#### **9. Powers and Functions of the Steering Committee:**

The Steering Committee Shall-

- i. lay down and / or approve rules and procedures for the functioning of the body and its Executive Committee, subject to the overarching objectives and core principles of State CAMPA;
- ii. monitor the progress of the utilization of funds released by the State CAMPA;
- iii. approve the Annual Plan of Operation (APO) prepared by the Executive Committee;
- iv. approve the annual reports and audited accounts of the State CAMPA;
- v. ensure inter-departmental coordination;
- vi. meet at least once in six months.

#### **10. Powers and Functions of the Executive Committee:**

The Executive Committee shall –

- i. take all steps for giving effect to the State CAMPA and overarching objectives and core principles, in accordance with rules and procedures approved by the Steering Committee and the approved APO;
- ii. prepare the APO of the State for various activities, submit it to the Steering Committee before end of December for each financial year, and obtain the Steering Committee's concurrence for release of funds, while giving break-up of the proposed activities and estimated costs;
- iii. supervise the works being implemented in the State out of the funds released from the State CAMPA;
- iv. be responsible for proper auditing of both receipt and expenditure of funds;
- v. develop the code for maintenance of the account at the implementing agency level;
- vi. submit reports to the Steering Committee for review / consideration; and
- vii. prepare Annual Report by end-June for each financial year.

#### **11. Aims and Objectives of State CAMPA**

State CAMPA shall seek to promote:

- (a) conservation, protection, regeneration and management of existing natural forests;
- (b) conservation, protection and management of wildlife and its habitat within and outside protected areas including the consolidation of the protected areas;
- (c) compensatory afforestation;
- (d) environmental services, which include:-

- I. **provision of goods** such as wood, non-timber forest products, fuel, fodder and water, and provision of services such as grazing, tourism, wildlife protection and life support;
  - II. **regulating services** such as climate regulation, disease control, flood moderation, detoxification, carbon sequestration and health of soils, air and water regimes;
  - III. **non-material benefits** obtained from ecosystems, spiritual, recreational, aesthetic, inspirational, educational and symbolic; and
  - IV. **supporting such other services** necessary for the production of ecosystem services, biodiversity, nutrient cycling and primary production.
- (e) Research, training and capacity building.

**12. The Functions of State CAMPA shall include, inter alia-**

- i. funding, overseeing and promoting compensatory afforestation done in lieu of diversion of forest land for non-forestry use under the Forest (Conservation) Act, 1980
- ii. overseeing forest and wildlife conservation and protection works within forest areas undertaken and financed under the programme.
- iii. Maintaining a separate account in respect of the funds received for conservation and protection of Protected Areas.
- iv. Creating transparency for the programme and mobilizing citizen support; and
- v. Earmarking up to two percent of the funds for monitoring and evaluation.

13.. (1). The A.P.State CAMPA shall be custodian of the Compensatory Afforestation Fund

13. (2) (A) They shall be credited into the account of the A.P. Compensatory Afforestation Fund Management and Planning Authority.

- i. Amount transferred to it by the ad-hoc CAMPA.
  - ii. Receipt of all monies from user agencies towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, Net Present Value (NPV), Catchment Area Treatment Plan or any money for compliance of conditions stipulated by the Central Government while according approval under the provisions of the Forest (Conservation) Act, 1980;
  - iii. The unspent funds already realized by States from user agencies and not transferred yet to the Adhoc Compensatory Afforestation Fund Management and Planning Authority for crediting into the Fund by respective States;
  - iv. The funds recoverable from user agencies in cases where forest land diverted falls within the protected areas, that is, areas notified under sections 18, 26A or 35 of the Wildlife(Protection) Act, 1972 for undertaking activities relating to the protection of biodiversity and wildlife, which would be maintained under a separate head; and
  - v. Net Present Value of the forest land diverted for non-forestry purposes, collected under the Forest (Conservation) Act, 1980 and the rules and the guidelines made there under and in pursuance of the judgment of the Supreme Court dated the 29<sup>th</sup> October 2002 from user agencies.
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( B ) The State Government also credit to the State CAMPA –

- (a) grants or aid received if any;
- (b) any loan taken by the Authority or any borrowings made by it; and
- (c) any other sums received by the Authority by way of benefaction, gift or donations.

(C ) The monies received in the State CAMPA shall be kept in interest-bearing account(s) in nationalized bank(s) and periodically withdrawn for the works as per the Annual Plan of Operations (APOs) approved by the Steering Committee.

13. (3) **Utilization of the money:** The money available with the State CAMPA shall be utilized for meeting –

- a. expenditure towards the development, maintenance and protection of forests and wildlife management as per the approved APO;
- b. the non-recurring as well as recurring expenditure for the management of the State CAMPA, including the salary and allowances payable to its officers and other employees, by utilizing a part of the income from interest received by on funds invested by State CAMPA, but excluding income from funds recoverable from the user agencies in cases where forest land diverted falls within the protected areas, that is, areas notified under sections 18, 26A, or 35 of the Wildlife (Protection) Act, 1972 for undertaking activities related to protection of biodiversity and wildlife;
- c. the expenditure incurred on monitoring and evaluation subject to overall ceiling of 2% of the amount to be spent every year; and
- d. disbursement on such other projects related to forest conservation

13. (4) **Disbursement of funds:**

- (1) The money received for compensatory Afforestation, additional compensatory afforestation, penal compensatory afforestation, Catchment Area Treatment Plan and for any other site specific scheme may be used as per site-specific schemes submitted by the State along with the approved proposals for diversion of forest land under the Forest (Conservation) Act, 1980.
- (2) After receipt of the money, State CAMPA shall accomplish the afforestation for which money is deposited in the Compensatory Afforestation Fund within a period of one year or two growing seasons after project completion, as may be appropriate
- (3) The money received on account of Net Present Value (NPV) shall be used for natural assisted regeneration, forest management, protection, infrastructure development, wildlife protection and management, supply of wood and other forest produce saving devices and other allied activities.
- (4) Monies realized from the user agencies in pursuance of the Hon'ble Supreme Court's orders or decision taken by the National Board for Wildlife involving cases of diversion of forest land in protected areas shall form a distinct corpus and shall be used exclusively for undertaking protection and conservation activities in protected areas of the State.
- (5) State CAMPA shall release monies to the field officers in predetermined installments as per the Annual Plan of Operation (APO) finalized.

13. (5) **Accounting Procedure**

- (i) State CAMPA shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the State CAMPA.

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- (ii) State CAMPA shall adopt financial regulations and procedures, in particular the procedure for approval and implementing the APO.

- (iii) State CAMPA shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant General concerned.
- (iv) The accounts of the State CAMPA shall be audited by the Accountant General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General.
- (v) The Accountant General and any other person appointed by him in connection with the audit of the accounts of the State CAMPA shall have the same rights and privileges and authority in connection with such audit as the Accountant General generally has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the State CAMPA.
- (vi) The accounts of the State CAMPA as certified by the Accountant General or any other person appointed by him in this behalf together with the audit report thereon and annual report, shall be forwarded annually to the State Government, the MoEF and the Adhoc CAMPA by the State CAMPA.
- (vii) The State Government and the MoEF shall have the power to conduct special audit or performance audit of the State CAMPA.
- (viii) The Annual Report shall provide, inter alia, for –
  - a) the details of various works done and the amount spent;
  - b) the details of the amount received by the State CAMPA from various sources; and
  - c) the observations made in the audit report.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

JANAKI R KONDAPI,  
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To

The Commissioner of Printing, Stationery & Stores Purchase, A.P.,  
Hyderabad with a request to publish the Notification in the A.P.Gazette and furnish 100  
copies to Government, 50 copies to the Principal Chief Conservator of Forests,  
Hyderabad.

The Members of the Committee Concerned.

The Principal Chief Conservator of Forests, A.P., Hyderabad.

The Secretary to Government of India, Ministry of Env. & Forests,  
Paryavaran Bhavan, GCO Complex, Lodhi Road, New Delhi.

P.S. to Chief Secretary to Government.

P.S. to C.M./ P.S. to M (Finance) P.S. to M (FES & T).

SC/SF.

//FORWARDED BY ORDER//

SECTION OFFICER.